

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

**INNOVATIVE GLOBAL SYSTEMS,
LLC,**

Plaintiff,

VS.

**VOLVO CONSTRUCTION
EQUIPMENT NORTH AMERICA, INC.,
VOLVO TRUCKS NORTH AMERICA,
INC., KOMATSU AMERICA CORP.,
CATERPILLAR, INC., HYUNDAI
CONSTRUCTION EQUIPMENT
AMERICAS, INC., TOPCON TIERRA,
STARTRAK SYSTEMS, LLC,
WIRELESS MATRIX USA, LLC, JLG
INDUSTRIES INC., TYLER
TECHNOLOGIES, INC., GEOTAB,
INC., and NAVISTAR, INC.,**

Defendants.

No. 6:10cv327 - LED

JURY TRIAL DEMANDED

**DEFENDANT KOMATSU AMERICA CORP.'S AND PLAINTIFF INNOVATIVE
GLOBAL SYSTEMS, LLC'S SECOND AGREED MOTION TO EXTEND DEADLINE
TO COMPLY WITH P.R. 3-3 and 3-4 AND DISCOVERY ORDER 2**

Defendant Komatsu America Corp. (“Komatsu”) and Plaintiff Innovative Global Systems, LLC (“IGS”) file this second agreed motion to extend Komatsu’s deadline to comply with P.R. 3-3 and 3-4 and Discovery Order 2(B) [Docket Number 164] and any obligation of IGS to comply with Discovery Order 2(B) and (C) with respect to Komatsu as follows:

Komatsu requests that its deadline to comply with P.R. 3-4(a) and Discovery Order 2(B) be extended through and including February 7, 2011. IGS requests that any deadline for it to comply with Discovery Order 2(B) and (C) as to Komatsu be extended through and including the same date. The purpose of this extension is to determine whether the ongoing negotiations

**KOMATSU AMERICA CORP.'S AND INNOVATIVE GLOBAL SYSTEMS, LLC'S SECOND AGREED
MOTION TO EXTEND DEADLINE TO COMPLY WITH P.R. 3-3 and 3-4 AND DISCOVERY ORDER 2 -
Page 1**

regarding a resolution of Plaintiff's claims can be brought to fruition. Komatsu and IGS agree to the requested relief.

Dated: January 31, 2011

Respectfully submitted,

/s/ Ruffin B. Cordell [by MTC w permission]

SBN 04820550

Mathias W. Samuel

SBN 0791596

James A. Fussell, III

SBN 2003193

Timothy W. Riffe

SBN 0482810

FISH & RICHARDSON P.C.

1425 K Street N.W., Suite 1100

Washington, DC 20005-3500

Ph: 202-783-5070

Fax 202-783-2331

cordell@fr.com

samuel@fr.com

fussell@fr.com

riffe@fr.com

Ann N. Cathcart Chaplin

SBN 0284865

Fish & Richardson P.C.

60 S. 6th Street, Suite 3200

Minneapolis, MN 55402

Ph.: 612-335-5070

Fax: 612-288-9696

cathcartchaplin@fr.com

Jennifer Parker Ainsworth

SBN 00784720

Wilson, Robertson & Cornelius, P.C.

909 ESE Loop 323, Suite 400

P.O. Box 7339 [75711]

Tyler, Texas 75701

Ph.: (903) 509-5000

Fax: (903) 509-5092

jainsworth@wilsonlawfirm.com

ATTORNEYS FOR DEFENDANT

KOMATSU AMERICA CORP.

/s/ Michael T. Cooke

State Bar No. 04759650

Jonathan T. Suder

State Bar No. 19463350

Todd I. Blumenfeld

State Bar No. 24067518

FRIEDMAN, SUDER & COOKE

Tindall Square Warehouse No. 1

604 East 4th Street, Suite 200

Fort Worth, Texas 76102

Telephone: (817) 334-0400

Facsimile: (817) 334-0401

mtc@fsclaw.com

jts@fsclaw.com

blumenfeld@fsclaw.com

Keith A. Rutherford

R. Scott Reese

Sarah R. Cabello

WONG, CABELLO, LUTSCH,

RUTHERFORD & BRUCCULERI, LLP

20333 SH 249, Suite 600

Houston, TX 77070

Telephone: (832) 446-2400

Facsimile: (832) 446-2424

krutherford@counselip.com

sreese@counselip.com

scabello@counselip.com

Eric M. Albritton

Stephen E. Edwards

ERIC M. ALBRITTON, P.C.

P.O. Box 2649

111 West Tyler Street

Longview, TX 75601

Telephone: (903) 757-8449 x204

Facsimile: (903) 758-7397

ema@emafirm.com

see@emafirm.com

Thomas John Ward, Jr.
Jack Wesley Hill
WARD & SMITH LAW FIRM
P.O. Box 1231
Longview, TX 75606-1231
Ph. (903) 757-6400
Fax (903) 757-2323
jw@jwfirm.com
wh@emafirm.com

ATTORNEYS FOR PLAINTIFF
INNOVATIVE GLOBAL SYSTEMS, LLC

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this document has been served on all counsel of record via electronic mail through Local Rule CV-5(a) on this 31ST day of January, 2011.

/s/ Michael T. Cooke